

THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 25884 OF 1998

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Dated 30th March, 2007

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Between:

P.Venkataramana

...Petitioner

And

A.P.Housing Board, represented by its
Vice-Chairman-cum-Commissioner,
Gruhakalpa Building, Hyderabad and others.

...Respondents.

ORAL ORDER:

In this writ petition, the petitioner has questioned the letter No.EM3/EE(h)/KNL/97/216, dated 22.1.1998 issued by the A.P. Housing Board, Kurnool. The petitioner's father, by name, Venkataratnam had applied for allotment of one of the LIG houses constructed by the A.P. Housing Board in Phase-I of Anantapur Town pursuant to the general survey notification of 1986 by paying the E.M.D. of Rs.200/-. In the drawal of lots held on 9.11.1986, he was not selected for allotment of LIG house. Even in the general pool, he was not selected but stood in the waiting list at Sl.No.15 and based on his representation dated 4.7.1999, even the earnest money deposit was also refunded. Subsequently, houses were constructed in second phase and the constructed houses were also allotted to successful applicants. In third phase, some more houses are constructed at a place near Sangamesh theatre at Anantapur Town and the applicants who were not successful in getting the houses were considered for allotment of houses in Phase III on 'first come first serve' basis. The petitioner submitted his representation on 27.12.1997. His request was rejected by the impugned letter.

In the counter affidavit filed on behalf of the respondents, it is stated that the houses in third phase were allotted on 'first come first serve' basis and M/s Smt. V. Lalitha and Smt. B.Mumtaz Begum had applied on 18.12.1997 for House No.6 (MIG-II) and 7 (MIG-II) respectively, under Phase-III and similarly one Smt. U.Roja Rani applied for House No.23 MIG-III duly paying 15% of the cost of the house as E.M.D. Allottees were the applicants who submitted their applications prior to the petitioner. In any event, in spite of the fact

that names of those allottees have been given in the counter-affidavit, no steps have been taken to implead the said allottees and any order in respect of Houses bearing Nos. 6 & 7 of MIG-II and 23 of MIG-III would affect them. Therefore, as much as the applications of the said allottees were earlier to the petitioner and as much as they are not made parties to the writ petition, no direction can be given as sought for.

The writ petition is devoid of any merits and is accordingly dismissed. No costs.

30-3-2007

R.SUBHASH REDDY, J.

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